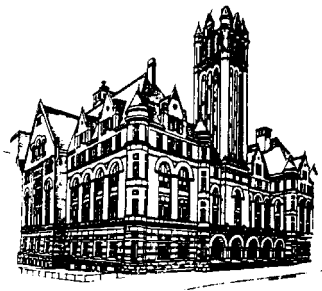


*Christopher L. Austin
Clerk*



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October 3, 2005

To: Bar and Public

Re: Bankruptcy Abuse Prevention and Consumer Protection Act of 2005

A number of changes will occur in processing bankruptcy cases in the Eastern District of Wisconsin on October 17, 2005, the effective date of many sections of the Bankruptcy Abuse Prevention and Consumer Protection Act of 2005 (the Act).

Interim Bankruptcy Rules

On September 29, 2005, the Interim Bankruptcy Rules were adopted in their entirety without change by the judges of this Court to be effective October 17, 2005. For cases and proceedings not governed by the Act, the Federal Rules of Bankruptcy Procedure and the Local Rules for this Court apply.

Local Bankruptcy Rules and Appendix to the Local Rules

The Local Rules Committee is in the process of revising the Local Rules for this district. You can follow the committee's progress by viewing the minutes of its meetings on the court's website. Although the process of revising the rules will extend beyond October 17, the Appendix to the Local Rules will be revised with changes required by the Act and posted prior to the 17th.

Filing Fee Changes

Changes to the filing fee amounts, as required by 28 U.S.C. § 1930, are as follows:

- Chapter 7: Increase from \$209 to \$274
Increase Motion to Reopen from \$155 to \$220
- Chapter 13: Decrease from \$194 to \$189
Decrease Motion to Reopen from \$155 to \$150
- Chapter 11: Increase from \$839 to \$1,039
Increase Motion to Reopen from \$800 to \$1,000

Filing Options

Clerk's Office - The Clerk's Office will maintain the current schedule of hours for filing: Monday through Friday 8:30 am to 4:30 pm.

After Hours Drop-Off Box - When the Clerk's Office is not open for filing, documents may be filed in the After Hours Drop-Off Box located in the Courthouse entrance on Jackson Street. Remember to stamp the documents and do not include cash.

CM/ECF - Electronic filing will be available through CM/ECF essentially 24 hours a day through the end of the day, October 16, 2005. At midnight on October 16, CM/ECF and PACER will be taken offline to complete configuration of changes required by the Act.

CM/ECF

The CM/ECF training database will be configured with changes required to implement the Act by Wednesday October 5. Registered users will receive a separate document detailing the changes and encouraging them to use the training database for the purpose of familiarization prior to October 17.

Tax Information

Section 315©) of the Act mandates that the Director of the Administrative Office establish procedures for safeguarding the confidentiality of tax information required to be provided under 11 U.S.C. § 521. On September 20, 2005, the Judicial Conference approved interim guidance drafted to implement this statutory directive.

1. No tax information filed with the bankruptcy court or otherwise provided by the debtor will be available to the public via the Internet, PACER, or CM/ECF.
2. Debtors providing tax information under 11 U.S.C. § 521 should redact personal information as set forth in the Judicial Conference's Policy on Privacy and Public Access to Electronic Case Files.
 - a. Social Security numbers. If an individual's social security number is included, only the last four digits of that number should appear;
 - b. Names of minor children. If a minor child(ren) is/are identified by name, only the child(ren)'s initials should appear;
 - c. Dates of birth. If an individual's date of birth is included, only the year should appear; and
 - d. Financial account numbers. If financial account numbers are provided, only the last four digits of these numbers should appear.

Court employees are not responsible for redacting any of the personal

information. The responsibility for redacting personal identifiers rests with the debtor.

3. Procedure for requesting and obtaining access to tax information filed with the bankruptcy court under 11 U.S.C. § 521(f). To gain access to a debtor's tax information under 11 U.S.C. § 521(f), the United States trustee (or a bankruptcy administrator, if any), trustee, or party in interest, including a creditor, must follow the procedures set forth below.

A written request that a debtor file copies of tax returns with the court pursuant to 11 U.S.C. § 521(f) shall be filed with the court and served on the debtor and debtor's counsel, if any.

In order to obtain access to debtor's tax information that is filed with the bankruptcy court, the movant must file a motion with the court, which should include:

- a. a description of the movant's status in the case, to allow the court to ascertain whether the movant may properly be given access to the requested tax information;
 - b. a description of the specific tax information sought;
 - c. a statement indicating that the information cannot be obtained by the movant from any other sources; and
 - d. a statement showing a demonstrated need for the tax information.
4. If the court grants an order for access to tax information, the Clerk's Office will transmit a copy of the tax information to the parties designated in the order.